

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JULIO NEGRON, :

Plaintiff, :

- against - :

THE CITY OF NEW YORK, PATRICK :
O’CONNOR, in his individual and official :
capacities, and ROBERT MOSCOSO, in his :
individual and official capacities, :

Defendants. :

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UNSEALING ORDER

18-cv-6645 (NGG) (SMG)

TO: The Queens County District Attorney’s Office
Clerk of the Court, Queens County

WHEREAS, New York State law provides for the sealing of records of grand jury proceedings and dismissed criminal proceedings; and

WHEREAS, it is well established that federal courts have the authority to order the unsealing of such records when disclosure of the records is necessary to litigate a federal civil rights action under 42 U.S.C. § 1983; and

WHEREAS, Plaintiff has moved to unseal certain records of state criminal proceedings and Defendants do not oppose;

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. It is ordered that all official records and papers relating to *People v. Negron*, Indictment No. 398-2005—including transcripts of all proceedings, all grand jury materials, and all search warrants and search warrant affidavits—be unsealed.

2. It is ordered that all official records and papers relating to *People v. Caban and Guartan*, Indictment No. 396-2005—including transcripts of all proceedings, all grand jury materials, and all search warrants and search warrant affidavits—be unsealed.

3. The following documents shall be treated as Confidential Materials, as defined in the Stipulation and Order of Confidentiality previously entered in this case, *see* ECF No. 24, Oct. 28, 2019 (“Order of Confidentiality”):

- a. Grand jury materials relating to *People v. Negron*, Indictment No. 398-2005 and *People v. Caban and Guartan*, Indictment No. 396-2005;
- b. Documents relating to *People v. Caban and Guartan*, Indictment No. 396-2005, that were previously sealed pursuant to New York Criminal Procedure Law § 160.50; and
- c. Transcripts of future depositions that reference the documents identified in the preceding subparagraphs and that either party designates as confidential in accordance with the Order of Confidentiality.

Dated: Brooklyn, New York

_____ 2019

HON. STEVEN M. GOLD
UNITED STATES MAGISTRATE JUDGE